

ERRATA SHEET

SUBJECT: Change 2 to FAA Order 7400.2K, Procedures for Handling Airspace Matters, effective 5/26/16.

This errata sheet transmits the revised pages to the subject order.

REMOVE PAGES	DATED	INSERT PAGES	DATED
32-1-1 through 32-1-4	5/26/16	32-1-1 through 32-1-4	5/26/16
32-2-1 and 32-2-2	5/26/16	32-2-1 and 32-2-2	5/26/16

Attachment

Chapter 32. Environmental Matters

Section 1. General Information

32-1-1. PURPOSE

This section provides guidance and establishes policy and procedures to assist air traffic personnel in applying the requirements of FAA Order 1050.1, Environmental Impacts: Policies and Procedures, to proposed air traffic actions. The guidance in this chapter will assist air traffic personnel in determining the level of environmental study appropriate for a proposed action and in preparing the required environmental documentation.

The policies and procedures set forth in this chapter are intended to supplement the requirements of FAA Order 1050.1 and other Department of Transportation and FAA directives.

Further, this chapter outlines the approach for considering environmental issues and helps reduce the complexity of the review process, while ensuring that the environmental process associated with proposed air traffic actions is thoroughly and properly documented.

32-1-2. POLICY

It is air traffic policy to use an interdisciplinary approach to assure compliance with all environmental laws and regulations. This policy requires that all projects be reviewed as early as possible to determine if there is the potential for impact to the quality of the human environment. All units of Air Traffic Services and Mission Support Services must adhere to the requirements in FAA Order 1050.1.

In addition, all units must comply with the guidelines and directions detailed in this chapter whenever reviewing regulatory and nonregulatory airspace actions.

32-1-3. BACKGROUND

a. FAA Order 1050.1 establishes policies and procedures and assigns responsibility for ensuring FAA compliance with the National Environmental Policy Act of 1969, as amended (NEPA), the implementing regulations issued by the Council on Environmental Quality (CEQ) (40 CFR parts 1500-1508), the Department of Transportation (DOT) Order 5610.1, FAA Order 1050.1, and other related statutes and directives.

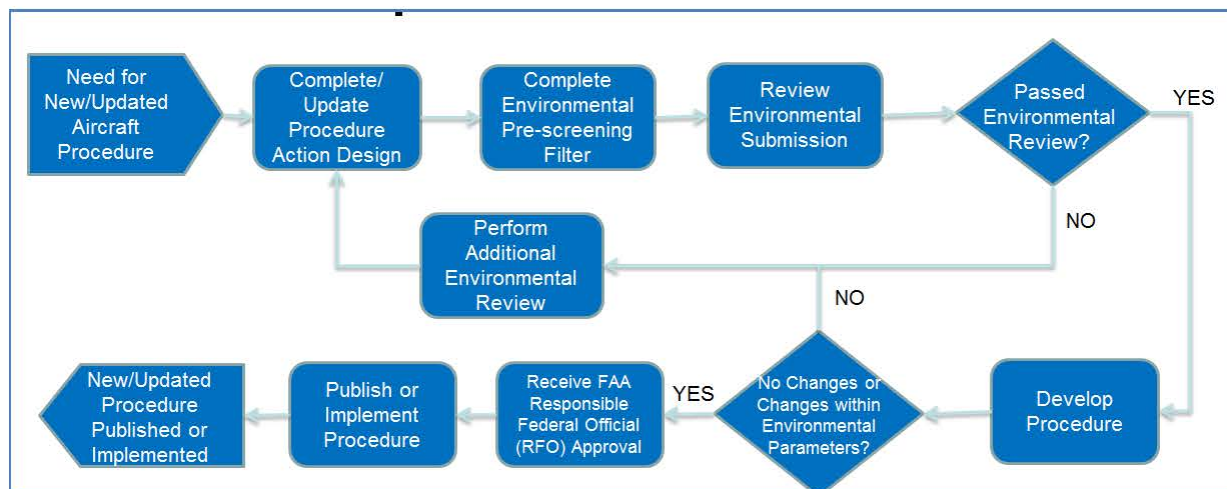
b. The complexity of environmental issues associated with some air traffic activities necessitates a systematic and uniform approach to the environmental review process. This process must assess all impacts, as well as provide the data for preparing the necessary documentation.

c. FAA Order 1050.1 provides the overall procedures and guidance for the FAA's environmental responsibilities. It is the intent of this chapter to complement, and not repeat in its entirety, what is already contained in FAA Order 1050.1. However, there are issues addressed in FAA Order 1050.1 that require further detail for air traffic or additional emphasis to ensure they are properly addressed.

d. The re-engineered environmental review process for Instrument Flight Procedures (IFPs) requires completion of a pre-screening filter and eliminates the need to complete the Air Traffic IER form (see Appendix 5), the checklist in support of a Categorical Exclusion (CATEX) Determination, and the CATEX Memo. The re-engineered environmental review process is depicted in FIG 32-1-1.

e. This chapter is designed to address these unique actions (for example, special use airspace proposals) and provide the additional detail necessary for air traffic to conduct an adequate environmental review.

FIG 32-1-1
IFP Re-Engineered Environmental Review Process



32-1-4. DELEGATION OF AUTHORITY

The Approving Official for Environmental Assessments (EAs), Findings of No Significant Impact (FONSIs) and Environmental Impact Statements (EISs) is the FAA official with signature authority for these documents. The FAA official with signature authority to approve a Record of Decision (ROD) is the decision-maker (see Order 1100.154A, Delegation of Authority).

a. The air traffic facility manager has signature authority for memoranda related to administrative actions listed in FAA Order 1050.1, paragraph 2-1.2.d. and advisory actions discussed in FAA Order 1050.1, paragraph 2-1.2.b.

b. The Vice President for Mission Support Services has signature authority for EAs, FONSIs, EISs, and RODs for all Performance-Based Navigation (PBN) and airspace re-design (for example, Metroplex) projects and may delegate this authority to a Service Center Director in the respective Service Center.

c. The Service Center Directors have signature authority for CATEXs and, as delegated by the Vice President for Mission Support Services, for EAs, FONSIs, EISs, and RODs which are exclusively within the scope of a single Service Center; and may delegate this authority to the Operations Support Group Manager within that Service Center. For Special Use Airspace (SUA) actions that require approval at the Headquarters level, the associated

environmental document also requires approval and signature at the Headquarters level.

d. The Vice President for Mission Support Services has signature authority for EAs, FONSIs, EISs, and RODs that are beyond the scope of authority of a single Service Center. This authority cannot be delegated.

e. The Service Center Directors are responsible for air traffic environmental compliance for proposed actions within the jurisdiction of air traffic facilities within their respective service areas.

f. The Mission Support, Airspace Policy Group is responsible for coordinating environmental processes that cross service area boundaries.

g. The Service Center Operations Support Group (OSG) Flight Procedures Team (FPT) must assist in preparing CATEXs produced based on the results of the re-engineered environmental review process for IFPs unless it is routed to an OSG Environmental Specialist, at which time it is subject to the authority and responsibilities described above in this Order.

32-1-5. RESPONSIBILITIES

The order of delegated authority for air traffic environmental processes is as follows:

a. Mission Support, Airspace Services, Airspace Policy Group. The Airspace Policy Group has been delegated authority to direct and implement environmental policy and procedures for air traffic actions. It must design and initiate training programs

to educate air traffic personnel in Headquarters, in the Service Centers, Air Traffic Services Service Areas, and in air traffic field facilities on environmental laws, regulations, policies, and processes related to the implementation or revision of air traffic airspace and procedures.

The Airspace Policy Group must direct and implement training for air traffic Environmental Specialists in the use of environmental screening and modeling tools (see Subparagraph 32-1-5.b, Service Center Directors). Additionally, the Airspace Policy Group must serve as the air traffic focal point for the Headquarters Environmental Network chaired by the Office of Environment and Energy (AEE).

b. Service Center Directors.

1. The Service Center Directors have the final responsibility for ensuring that all appropriate environmental documentation within their area of jurisdiction is prepared accurately and completely.

2. The Service Center Directors must be responsible for designating at least one person to serve as the Environmental Specialist within his/her service area to address air traffic environmental issues. Funding for training associated with the duties of the Environmental Specialist must also be the responsibility of the Service Center Director (or his/her designee).

3. The Service Center Director (or his/her designee) must appoint a representative to serve as the focal point for his/her service area on Regional Environmental Networks within his/her service area. The representative must coordinate any environmental activity in his/her service area with the Airspace Policy Group, as appropriate.

4. The Service Center Directors must ensure that the Environmental Specialist attends the following training or equivalent, as soon as practical after his/her appointment to the position:

(a) FAA Academy Course #50019, Airspace and Procedures.

(b) Electronic Learning Management System (eLMS) Course #60000076, Mission Support Services' National Environmental Policy Act (NEPA) & Air Traffic Applications.

(c) NEPA 102 for the Re-engineered Environmental Review Process for Instrument Flight Procedures (IFPs).

(d) Re-engineered Environmental Review Process for IFPs and the Environmental Pre-Screening Filter.

(e) Environmental screening tools (pre-screening filter, noise screening guidance document, Aviation Environmental Screening Tool (AEST), and/or TARGETS Environmental Plug-in.)

(f) Environmental Modeling Tool (Aviation Environmental Design Tool (AEDT)).

NOTE-

Recurrent training to supplement these minimums should be provided, as appropriate. Additionally, when members of the FPT or other specialists have duties that include the use of the Pre-Screening Filter, they must complete training on the Filter, NEPA 101, and NEPA 102.

c. OSG Manager.

The OSG manager must act as the FAA environmental point of contact when another Federal agency (for example, Department of Defense (DOD)) requests FAA participation as a Cooperating Agency on air traffic or airspace actions.

NOTE-

When a request for Cooperating Agency status is received from the DOD related to Special Use Airspace (SUA), a copy of Appendix 2 and Appendix 3, (flow charts for SUA environmental and aeronautical non-rulemaking and rulemaking actions, respectively) along with a copy of Appendix 4 (a summary of FAA procedures for processing DOD SUA actions), will be attached to the response. A copy of the response, which will also identify the Service Area environmental point of contact, will be provided to the appropriate Service Area.

d. Service Center Environmental Specialist.

1. Center, TRACON, and ATCT facility managers are responsible for participating in the development of all appropriate environmental documentation for proposed air traffic actions within their jurisdiction, and assisting the Service Center Environmental Specialist in ensuring that such documentation is prepared accurately and completely.

The facility managers also are responsible for designating at least one facility staff specialist within their scope of operations to coordinate with the Service Center Environmental Specialist when addressing environmental issues. The facility specialist may be required to perform his/her environmental duties on a full-time or collateral basis. The decision about the need for a full-time

Environmental Specialist at a field facility must be made by the facility manager.

2. The Service Center Environmental Specialist is responsible for the preparation of CATEXs, EAs, EISs, Letters of Adoption, Written Reevaluations, FONSIs, and RODs for air traffic actions unless it is a CATEX prepared based on the results of the IFP Environmental Pre-Screening Filter that do not require additional environmental review (in that case, the OSG FPT is responsible (see paragraph 32-1-5e)). When the results of the Pre-Screening Filter indicate that additional environmental review is needed, the Service Center Environmental Specialist is responsible for that additional review and preparation of the appropriate NEPA documentation. The Service Center Environmental Specialist is also responsible for posting these documents to the Airspace Services KSN.

3. The Service Center Environmental Specialist must provide guidance in the use of the IFP Environmental Pre-Screening Filter.

4. The Service Center Environmental Specialist must provide guidance in and oversee the preparation of the Air Traffic Initial Environmental Reviews (see Appendix 5).

5. The Service Center Environmental Specialist is responsible for reviewing environmental studies and forwarding written concurrence to the air traffic facilities that originate the environmental documentation.

6. The Service Center Environmental Specialist must review environmental compliance documentation initiated by Technical Operations in the Service Centers.

7. The Service Center Environmental Specialist must cooperate with Airport District Offices or the Airports Division, within his/her jurisdiction, on the preparation of environmental compliance documents and 14 CFR, Part 150, Airport Noise Planning, Land Use Compatibility Guidelines (Part 150) studies undertaken by these offices. Review and comments by the Service Center Environmental Specialist must be directed to those matters affecting the operation of the air traffic program. Comments must be forwarded to the appropriate organization in the Office of Airports. The Service Center Environmental Specialist may also be requested to attend public meetings or hearings to provide support to the facility,

region/service area, or other lines of business convening the meeting or hearings.

8. The Service Center Environmental Specialist must review other agencies' environmental documentation when applicable (for example, when the FAA is considering adopting the environmental documentation).

9. In the case of SUA actions, the Service Center Environmental Specialist must review environmental studies in accordance with paragraph 32-2-3.

10. The Service Center Environmental Specialists must coordinate with each other and with their counterparts in other agencies, as appropriate.

e. Flight Procedures Team.

1. For IFP requests, the initial responsibility for environmental compliance rests with the OSG FPT.

2. The OSG FPT must assist the Environmental Specialist in preparing a CATEX that is based on the results of the IFP Environmental Pre-Screening Filter, and does not require additional environmental review. When the results of the Pre-Screening Filter indicate that additional environmental review is needed, the Service Center Environmental Specialist is responsible for that additional review and preparation of the appropriate environmental compliance documentation.

f. Air Route Traffic Control Center (ARTCC), Terminal Radar Approach Control (TRACON), and Airport Traffic Control Tower (ATCT) facility managers.

1. ARTCC, TRACON, and ATCT facility managers are responsible for ensuring that all appropriate environmental documentation for proposed air traffic actions within their jurisdiction is prepared accurately and completely. For procedures reviewed through the IFP Environmental Pre-Screening Filter, these managers must ensure that the results of the Filter are reviewed by appropriate FAA personnel.

(a) For actions that require additional environmental review, these managers are responsible for recommending to the Service Center Environmental Specialist the appropriate level of environmental review.

(b) For actions other than Advisory or Emergency Actions (as defined in FAA Order 1050.1), and actions that require additional environ-

Section 2. Environmental Processing

32-2-1. THE PROCESS

The ARTCC, TRACON, and ATCT facilities, in cooperation with the Service Center, must conduct the environmental compliance process for any proposed air traffic action in their area of jurisdiction with the potential to impact the human environment. Examples of air traffic actions include, but are not limited to, procedural changes that create new or alter existing flight tracks over noise sensitive areas or altitudes utilized by aircraft, certain SUA requests or changes, and initiatives effecting operational changes (for example, changes in runway use percentage or heading). Environmental documentation for such actions must be completed prior to approval and subsequent implementation (see Appendix 1, Environmental Study Process Flow Chart, for the steps from action concept to implementation).

a. Some basic questions to ask when considering the potential environmental impact of actions are:

1. Are there aircraft currently flying over the area of change?
2. Are route altitudes increasing or decreasing?
3. Are the routes moving laterally, and if so, how far from the baseline route?
4. Will the number of operations increase?
5. Are there projected changes in runway use?
6. Will the types of aircraft change?
7. Will nighttime operations increase?

If the FAA is not the proponent of the proposed air traffic action (for example, the Department of Defense or an Airport Sponsor [the proponent] requests the FAA to take the action) then the proponent is responsible for funding and preparation of environmental documentation associated with the proposed action. FAA Order 1050.1, paragraph 2-2.2 discusses responsibility for preparation of EAs or EISs (respectively) where FAA must approve the project. Signature authority for the environmental documents discussed in this section must be in accordance with Paragraph 32-1-4, Delegation of Authority, of this chapter.

The FAA or non-FAA proponent must prepare and submit the associated environmental documentation

in conjunction with the proposed air traffic action, as follows:

b. Determination of Appropriate Environmental Documentation. The appropriate level of environmental documentation required must be determined after all portions of a proposed action have undergone the Air Traffic Initial Environmental Review (IER) (see Appendix 5). The IER must be used for all projects that will require headquarters-level funding for completion of the environmental process. For those projects not being funded at the headquarters level, completion of the IER is optional. Facility personnel and the Service Center Environmental Specialist must coordinate the IER process.

The completed IER, along with a recommendation as to whether the proposed action warrants no further environmental review, a CATEX, or preparation of an EA or an EIS must be forwarded to the Service Center Environmental Specialist. Field personnel must consult FAA Order 1050.1 before making a recommendation on the appropriate level of environmental review for a proposed action.

For IFP actions reviewed through the IFP Environmental Pre-Screening Filter, the OSG FPT or Environmental Specialist must determine the appropriate level of environmental documentation after reviewing of the results from the Filter. If the Filter results indicate that a CATEX is warranted, the OSG FPT must assist the Environmental Specialist in the preparation of a CATEX and proceed with the action.

The following are specific sections of FAA Order 1050.1 that must be reviewed:

1. Advisory Actions, Paragraph 2-1.2b. A memorandum to the file may be the only documentation necessary.
2. Emergencies, paragraph 5-6.1a.
3. Extraordinary Circumstances, Paragraph 5-2.
4. Categorical Exclusions, Paragraph 5-6.5, and Extraordinary Circumstances, Paragraph 5-2. Only those categorical exclusions listed may be cited. However, the categorical exclusion referenced in AEE's Guidance Memo #5 dated December 6, 2012, Guidance for Implementation of the Categorical Exclusion in Section 213(c)(1) of the FAA

Modernization and Reform Act of 2012 (known as CATEX 1), (see FAA Order 1050.1, paragraph 5-6.5.q) may also be used.

A review of Categorical Exclusion Documentation, Paragraph 5-3, will assist in determining the appropriate level of environmental documentation required for a CATEX (see Appendix 6 of this order for a "Sample Categorical Exclusion Declaration").

5. Chapter 6 of FAA Order 1050.1 addresses EAs and FONSI's. A review of this chapter will assist in determining when to prepare these documents. The FAA may adopt, in whole or in part, an EA prepared by another Federal agency. Consult FAA Order 1050.1 paragraph 6-3.c to determine if the EA meets the criteria for FAA adoption.

6. Chapter 7 of FAA Order 1050.1 addresses EISs and RODs. A review of this chapter will assist in determining when and how to prepare these documents.

7. A review of FAA Order 1050.1, Appendix B, will assist in determining whether a noise analysis is warranted and if so, what type of analysis should be conducted. A noise analysis requires several different types of input data including radar data. This data is available to FAA and other Federal Government personnel. Request for the data should be made through the Service Center Environmental Specialist assigned to the proposal.

8. Requests for the FAA to release radar data, to other than FAA personnel, for use in noise studies or environmental compliance documents should be via FAA Order 1200.22, External Requests for National Airspace System (NAS) Data, or the Freedom of Information Act (FOIA) process. It may be simpler and more expedient to utilize the FOIA process, as FOIA does not require use of the Data Release Review Committee or a Memorandum of Agreement between the FAA Field Facility and an Environmental Contractor. Consultation with the Service Center Environmental Specialist should occur if radar data is needed.

c. Preparation of Environmental Documents. The following are various levels of environmental review and documentation that may be prepared:

1. Actions Not Subject to NEPA Review. See FAA Order 1050.1, paragraph 2-1.2, for a list of actions that do not require an environmental study.

2. No Further Environmental Review Required. Some air traffic actions are subject to NEPA review, but require no further environmental action after the initial environmental review is completed. These actions relate to modifications to airspace and/or procedures and may fit some or all of the following criteria. Special purpose environmental requirements may still apply to airspace and/or procedures that fit some or all of these criteria. No further environmental review is required if the proposed change:

(a) is over 18,000 ft above ground level (AGL). Currently, there is no need to analyze aircraft noise above 18,000 ft AGL. However, there is the potential for future greenhouse gas requirements to require analysis of fuel burn and carbon dioxide (CO₂) impacts.

(b) is over 7,000 AGL for arrivals, and/or over 10,000 ft AGL for departures and/or overflights.

(1) Any decision to analyze aircraft noise over 10,000 ft AGL is an exception and should be coordinated with the ATO Airspace Policy and Regulation Group at FAA headquarters at the earliest possible time.

(2) Consideration for analyzing the proposed change between 10,000 ft and 18,000 ft AGL will be given when there is a national park or wildlife refuge in the study area where a quiet setting is a generally recognized purpose and attribute and the change is likely to be highly controversial.

(c) is over a non-noise sensitive area(s)

(d) does not alter the current noise footprint.

(e) does not cause the following noise level change over noise sensitive areas, as defined in FAA Order 1050.1, paragraph 11-5 (10): +1.5 dB for 65 DNL and higher.

For IFP actions reviewed through the IFP Environmental Pre-Screening Filter, most of these determinations will be made automatically based on the information input into the Filter.

NOTE-

An FAA-approved environmental screening tool or model must be used to confirm the noise data when the project is not processed through the IFP Environmental Pre-Screening Filter.

3. Actions Not Requiring a Noise Analysis. (See FAA Order 1050.1, Appendix B, Paragraph B-1.)